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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 07-41741 EDJ

**ERIC MAURICE BURNS and
GAYLE DELORIS BURNS,**

Chapter 13

Debtors.

**MOTION TO MODIFY CHAPTER 13 PLAN;
NOTICE TO CREDITORS OF
DEADLINE TO REQUEST A HEARING**

The above-named debtors apply to the court for an order to modify their Chapter 13 Plan as follows:

Commencing May, 2011 through June, 2012, debtors will pay \$370.00 per month to the Trustee, at which time the plan shall be deemed completed and debtors shall receive a discharge; however debtors shall waive the discharge of the unpaid balance of any secured and priority claims of the Internal Revenue Service and the Franchise Tax Board. Any plan arrearages shall be forgiven. Unsecured, non-priority creditors shall be paid on a pro-tanto basis.

The modification is sought on the following grounds:
The modification is necessary in order to complete the plan within sixty (60) months.

1 **NOTICE IS HEREBY GIVEN:**

2 (i) That Local Rule 9014-1 of the United States Bankruptcy Court
3 for the Northern District of California prescribes the procedures to be
4 followed and that any objection to the requested relief, or a request for
5 hearing on the matter must be filed and served upon the undersigned
6 within twenty one (21) days of mailing of this notice;

7 (ii) That a request for hearing or objection must be accompanied
8 by any declarations or memoranda of law the party objecting or requesting
9 wishes to present in support of its position;

10 (iii) That if there is not a timely objection to the requested
11 relief or a request for hearing, the Court may enter an order granting
12 the relief by default; and

13 (iv) That the undersigned will give at least seven (7) days written
14 notice of hearing to the objecting or requesting party, and to any
15 trustee or committee appointed in the case, in the event an objection or
16 request for hearing is timely made.

17 Dated: April 22, 2011

18 /s/ Patrick L. Forte
19 PATRICK L. FORTE
20 Attorney for Debtors
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